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December 22, 2005

Via Facsimile and US Mail

Lorianne K. Trewick
Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178

RE: Fallon Community Health Plan

Dear Attorney Trewick:

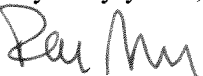
Epstein Becker & Green was representing Fallon Community Health Plan (hereinafter "Fallon") of Worcester, Massachusetts when Dey, Inc.'s (hereinafter "Dey") November 21, 2005 subpoena was served on Fallon. I understand Epstein, et al. has a conflict of interest and as a result cannot represent Fallon regarding its response to Dey's subpoena.

Your November 21, 2005 correspondence which accompanied the subpoena sought not only documents, but a Rule 30(b)(6) witness. Responsive documents and the witness were to be available no later than December 2, 2005. The accompanying letter mentioned you would endeavor to accommodate any reasonable request for rescheduling.

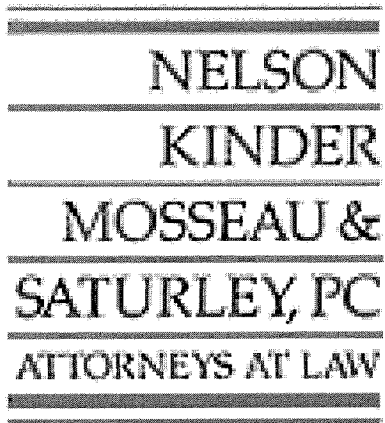
I am writing to inform you of change of counsel. Nelson Kinder Mosseau & Saturley, P.C. will now be representing Fallon. I will be the principal contact, and Attorney Bill Saturley be will co-counsel. I will be meeting with Fallon representatives to determine their response to the pending subpoena. I have noted that on November 23, 2005 the underlying plaintiffs sought a protective order convering the notices of deposition and subpoenas issued by Dey to absent class members including Fallon. Will Dey consent to a stay regarding its discovery requests to Fallon pending the court's resolution of the pending protective order request?

Thank you for your cooperation.

Very truly yours,


Peter W. Mosseau

PWM:cmd



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FAX COVER SHEET

Date: December 22, 2005
Total Number of Pages: 2, Including Fax Cover Sheet
Original to Follow Yes

To:	Lorianne K. Trewick	Fax No:	(212) 808-7897
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Comments:

Please see attached letter regarding discovery requests.

RE: Fallon Community Health Plan

***** -IND. XMT JOURNAL- ***** DATE DEC-22-2005 ***** TIME 13:40 *****

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